

**DECLARATION
Utility Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **HIGH TEMPERATURE SUPERCONDUCTOR FOR TUNABLE FILTER** the specification of which was filed on March 16, 1999 as U.S. Application Serial No. 09/268,786. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

Send Correspondence to: Jon W. Hallman	LYON & LYON LLP 633 W Fifth St., Suite 4700 Los Angeles, CA 90071	Direct Telephone calls to: Jon W. Hallman (714) 751-6606
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	FULL NAME OF INVENTOR	FIRST Name Richard	MIDDLE Initial C.	LAST Name Eden	
201	RESIDENCE & CITIZENSHIP	City Briarcliff	State or Foreign Country Texas	Country of Citizenship US	
	POST OFFICE ADDRESS	21922 Briarcliff Drive	City Briarcliff	State or Country Texas	Zip Code 78669
	FULL NAME OF INVENTOR	FIRST Name Balam	MIDDLE Initial A.	LAST Name Willemssen	
202	RESIDENCE & CITIZENSHIP	City Ventura	State or Foreign Country California	Country of Citizenship US	
	POST OFFICE ADDRESS	379 Seton Hall Avenue	City Ventura	State or Country California	Zip Code 93003
	FULL NAME OF INVENTOR	FIRST Name George	MIDDLE Initial L.	LAST Name Matthaei	
203	RESIDENCE & CITIZENSHIP	City Santa Barbara	State or Foreign Country California	Country of Citizenship US	
	POST OFFICE ADDRESS	438 Merida Drive	City Santa Barbara	State or Country California	Zip Code 93111
	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
204	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code
	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
205	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code
	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
206	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor	201
Date	JUNE 12, 1999
Signature of Inventor	202
Date	JUNE 2, 1999
Signature of Inventor	203
Date	JUNE 2, 1999

(Signatures should conform to names as presented at 201 et seq. above.)

Signature of Inventor	204
Date	
Signature of Inventor	205
Date	
Signature of Inventor	206
Date	



UNITED STATES DEPARTMENT OF COMMERCE
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SEPTEMBER 08, 1999

PTAS

LYON & LYON LLP
JON W. HALLMAN
633 WEST FIFTH ST.
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101086234A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/06/1999

REEL/FRAME: 010074/0224
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
EDEN, RICHARD C.

DOC DATE: 06/14/1999

ASSIGNOR:
WILLEMSSEN, BALAM A.

DOC DATE: 06/02/1999

ASSIGNOR:
MATTHAEI, GEORGE L.

DOC DATE: 06/02/1999

ASSIGNEE:
SUPERCONDUCTOR TECHNOLOGIES, INC.
460 WARD DRIVE
SUITE F
SANTA BARBARA, CALIFORNIA
93111-
2310

SERIAL NUMBER: 09268786
PATENT NUMBER:

FILING DATE: 03/16/1999
ISSUE DATE:

RECEIVED
SEP 15 1999
U.S. PROSECUTION

010074/0224 PAGE 2

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
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FORM PTO-1595
1-31-92

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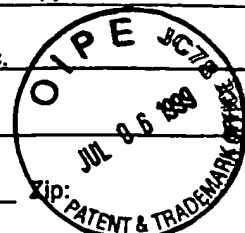
Docket No. 235/269

7-6-99

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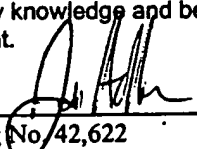
original documents or copy thereof.

1. Name of conveying party(ies): Richard C. Eden, Balam A. Willemssen, and George L. Matthaei Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party: Nam : <u>Superconductor Technologies, Inc.</u> Internal Address: _____ City: _____ State: _____ Zip: _____ Street Address: <u>460 Ward Drive, Suite "F"</u> City: <u>Santa Barbara</u> State: <u>California</u> Zip: <u>93111-2310</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Dates: <u>June 2, 1999 (Willemssen and Matthaei)</u> <u>June 14, 1999 (Eden)</u>	



4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No(s). <u>09/268,786</u> B. Patent No(s): _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Jon W. Hallman</u> Internal Address: <u>LYON & LYON LLP</u> <u>633 West Fifth Street, Suite 4700</u> <u>Los Angeles, CA 90071-2066</u>	6. Total number of applications and patents involved: <u>One</u> 7. Total fee (37 CFR 3.41): \$ 40.00 <u>E</u> <input checked="" type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge this Deposit Account if any additional fee is required 8. Deposit Account Number: <u>12-2475</u>

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9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.  Jon W. Hallman, Reg No. <u>42,622</u> Date: <u>July 1, 1999</u> Total number of pages including cover sheet: <u>6</u>	
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OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

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ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, RICHARD C. EDEN, BALAM A. WILLEMSSEN, and GEORGE L. MATTHAEI, all citizens of the United States (hereinafter referred to as "ASSIGNORS"), have invented and own a certain invention entitled HIGH TEMPERATURE SUPERCONDUCTOR FOR TUNABLE FILTER for which application for Letters Patent of the United States of America has been filed on March 16, 1999, assigned Serial No. 09/268,786; and

WHEREAS, SUPERCONDUCTOR TECHNOLOGIES, INC., a corporation organized and existing under and by virtue of the laws of the State of Delaware and having its principal place of business at 460 Ward Drive, Suite "F", Santa Barbara, California 93111-2310 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

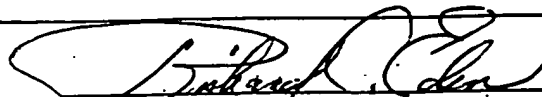
NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue

said Letters Patent or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at Spicewood, Tx.
this 14th day of June, 1999.

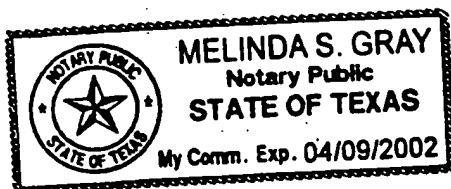

RICHARD C. EDEN


STATE OF Texas)
) ss
COUNTY OF Travis)

On 6-14-99 before me, the undersigned Notary Public, personally appeared RICHARD C. EDEN, ☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)




Notary Public in and for said County and State

WITNESS my hand at Santa Barbara

California, this 2nd day of June, 1999.

B. Willemssen
BALAM A. WILLEMSSEN

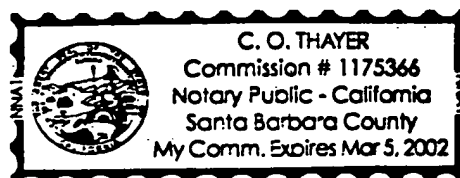
STATE OF CALIFORNIA)
COUNTY OF Santa Barbara) ss

On 6/2/99 before me, the undersigned Notary Public, personally appeared BALAM A. WILLEMSSEN, ☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

C. O. Thayer
Notary Public in and for said County and State

(Seal)



WITNESS my hand at Santa Barbara, Calif.

California, this 2nd day of June, 1999.

George L. Matthaei
GEORGE L. MATTHAEI

STATE OF CALIFORNIA)
COUNTY OF San) ss
Barbara)

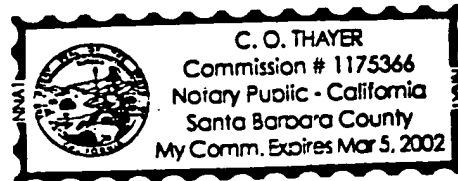
On 6/2/99 before me, the undersigned Notary Public, personally appeared GEORGE L. MATTHAEI, ☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]

Notary Public in and for said County and State

(Seal)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Richard C. Eden, et al.

Serial No.: 10/023,575

Filed: December 17, 2001

For: HIGH TEMPERATURE
SUPERCONDUCTING TUNABLE FILTER

Group Art Unit: 2817

Examiner: Not yet assigned

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
AND REVOCATION OF PRIOR POWERS**

Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Robert B. Hammond, Senior Vice President, SUPERCONDUCTOR TECHNOLOGIES INC., as a duly authorized representative of the Assignee of record of the entire interest of the above application, hereby revoke all powers of attorney previously given, and hereby appoints all of the registered practitioners at the law firm of O'MELVENY & MYERS LLP, 114 Pacifica, Suite 100, Irvine, California 92618-3315, as its attorneys with full power of substitution and revocation to transact all business in the United States Patent and Trademark Office and in countries other than the United States in connection with this application and corresponding foreign applications and patents, and to do all things necessary or appropriate therefore before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application. The registered practitioners of O'MELVENY & MYERS LLP, 114 Pacifica, Suite 100, Irvine, CA 92618 are identified by Customer Number 34263:




O'MELVENY & MYERS LLP
114 Pacifica, Suite 100
Irvine, CA 92618
(949) 737-2900

Please send all correspondence to the attention of Polaphat Veravanich, at the above address,
and direct all telephone calls to Polaphat Veravanich at (949) 737-2900.

Assignee of interest: Superconductor Technologies, Inc.
Address: 460 Ward Drive, Santa Barbara, CA 93111-2310
Recorded in PTO: July 6, 1999, Reel: 010074, Frame 00224 (6 pages)

In conformance with 37 C.F.R. §3.73(b), I hereby certify that all documents in connection
with the chain of title have been reviewed, and to the best of my knowledge, all right, title and
interest is in the above-identified Assignee.

Dated: 9/27/02

By: 
Name: Robert B. Hammond
Title: Senior Vice President

Superconductor Technologies, Inc.
460 Ward Drive, Suite F
Santa Barbara, California 93111-2310